

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
April 3, 2006**

No Minutes for April 3, 2006.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
April 4, 2006**

Acting Presiding Justice Hollenhorst announced that in the absence of objection, it would be deemed stipulated that Justice Richli might participate in the decision of any case on this calendar. There being no objections made by any counsel present, it was deemed so stipulated and so ordered.

Court convened at 8:30am

Panel 1

Present:

Hollenhorst, Acting P.J.

McKinster, J.

Steven McElroy, Deputy Clerk

E037447 Richard Gonzales v. City of Colton

Merits. Cause called and Sandra L. Noel-Leyva, Esq., argued for appellant; John D. Higginbotham, Esq., argued for respondent. Cause submitted.

Court recessed.

Court reconvened.

Panel 1a

Present:

Hollenhorst, Acting P.J.

King, J.

Steven McElroy, Deputy Clerk

E037887 People v. Brandon David Powell

Merits. Cause called and Amanda F. Benedict, Esq., argued for appellant; Scott C. Taylor, Deputy Attorney General, appeared for respondent and Dana Ali, certified law student argued for respondent. Cause submitted.

Court recessed.

Court reconvened.

Panel 1b
 Present:
 Hollenhorst, Acting P.J.
 Gaut, J.
 Steven McElroy, Deputy Clerk

E036472 People v. Frank Taylor et al.

Merits. Cause called and Patricia J. Ulibarri, Esq., argued for appellant Frank Lee Taylor; Conrad Peterman, Esq., argued for appellant Michael Steven Ellison; Stephen M. Lathrop, Esq., argued for appellant Jeremy Philip Hitchens; Barbara A. Smith, Esq., argued for appellant Thomas Paul Camenga; Bradley A. Weinreb, Deputy Attorney General, argued for respondent. Cause submitted.

Court recessed.

Court reconvened.

Panel 1c
 Present:
 Ramirez, P.J.
 Gaut, J.
 Steven McElroy, Deputy Clerk

E037511 Khalil Rahaman Shafiq et al. v. Shong-Ching Tong

Merits. Cause called and Ricky W. Poon, Esq., argued for appellant; Jameka Monea Gilford, Esq., argued for respondents. Cause submitted.

Court recessed.

Court reconvened.

Panel 1d
 Present:
 Ramirez, P.J.
 Hollenhorst, J.
 King, J.
 Steven McElroy, Deputy Clerk

E037106 People v. David Long

Merits. Cause called and Rebecca P. Jones, Esq., argued for appellant; Christopher Beesley, Deputy Attorney General, argued for respondent. Cause submitted.

Court recessed.

Court reconvened.

Panel 1e

Present:

Ramirez, P.J.

Hollenhorst, J.

Steven McElroy, Deputy Clerk

E036909 People v. Noell Laurie Hewitt

Merits. Cause called and Stephen S. Buckley, Esq., argued for appellant; Scott Taylor, Deputy Attorney General, argued for respondent. Cause submitted.

E037584 People v. Brian L. Brown

Merits. Cause called and William Flenniken, Esq., argued for appellant; Scott Taylor, Deputy Attorney General, appeared for respondent and M. Oanh Ho, certified law student, argued for respondent. Cause submitted.

E036798 People v. Gunda Copper

Merits. Cause called and Andrew Reed Flier, Esq., argued for appellant; Heather F. Crawford, Deputy Attorney General, argued for respondent. Cause submitted.

Court recessed.

Court reconvened at 1:30pm

Panel 2

Present:

McKinster, Acting P.J.

Gaut, J.

King, J.

Michelle Parlapiano, Deputy Clerk

E036898 People v. Edilberto Rodriguez Martin

Merits. Cause called and Natalee Segal, Esq., argued for appellant; David Delgado-Rucci, Deputy Attorney General, argued for respondent. Cause submitted.

E036935 People v. Frank Robles et al.

Merits. Cause called and Stephen S. Buckley, Esq., argued for appellant Frank Robles; Richard Schwartzberg, Esq., argued for appellant Jennifer Robles; Annie Featherman Fraser, Deputy Attorney General, argued for respondent. Cause submitted.

**E037320 In re Robert H., a Person Coming Under the Juvenile Court Law.
Department of Public Social Services v. Lana H. et al.**

Merits. Cause called and Donna B. Kaiser, Esq., argued for appellant Lana H.; Sharon Rollo, Esq., argued for appellant Lawrence H.; Robert Pepper, Deputy County Counsel, argued for respondent; Richard Pfeiffer, Esq., argued for the minor. Cause submitted.

**E038310 In re R.T., a Person Coming Under the Juvenile Court Law.
Department of Public Social Services v. Joy B.**

Merits. Cause called and Leslie A. Barry, Esq., argued for appellant; Anna Deckert, Deputy County Counsel, argued for respondent; no appearance for the minor. Cause submitted.

E035833 People v. Arthur Estrada

Merits. Cause called and George L. Schraer, Esq., argued for appellant; Kristen K. Chenelia, Deputy Attorney General, argued for respondent. Cause submitted.

E036484 People v. Randy E. Pigg

Merits. Cause called and Stephen M. Lathrop, Esq., argued for appellant; Scott Taylor, Deputy Attorney General, appeared for respondent and Jennifer Noble, certified law student, argued for respondent. Cause submitted.

E037156 People v. Michael Sawkow

Merits. Cause called and Stephen M. Lathrop, Esq., argued for appellant; Randall D. Einhorn, Deputy Attorney General, argued for respondent. Cause submitted.

E035820 People v. Esequiel Melgoza

Merits. Cause called and Laura P. Gordon, Esq., argued for appellant; Megan Beale, Deputy Attorney General, argued for respondent. Cause submitted.

E036242 People v. Steven Arthur Reynolds

Merits. Cause called and Chris Truax, Esq., argued for appellant; Megan Beale, Deputy Attorney General, argued for respondent. Cause submitted.

E036356 People v. Ian Whitson et al.

Merits. Cause called and Mark A. Hart, Esq., argued for appellant Ian Whitson; No appearance for appellant Louis Montes; Pat Zaharopoulos, Deputy Attorney General, argued for respondent. Cause submitted.

Court adjourned.

The following cases are submitted this date:

E039009 In re Mariah G. et al., a Person Coming Under the Juvenile Court Law.

**E036676 Department of Public Social Services v. Veronica A.
People v. Dario Gutierrez, Jr.**

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E037891 People v. Jeffrey Lamont

E037085 People v. Ralph Martinez, Jr.

E037465 People v. Martin Rangel

E038042 People v. Michael Spangle

E037054 Wealtha Weaver v. Charleen Rasmussen et al.

E037860 People v. Devlon Short

E038457 People v. Jerome J. Richardson

E037541 Viorel Cacao v. Tri County Eye Institute

Opinion

Judgment affirmed.

McKinster, J.

We concur: Ramirez, P.J., Hollenhorst, J.

E038833 In re J.B. et al., Persons Coming Under the Juvenile Court Law.

Department of Public Social Services v. Cheryl S.

Opinion

Judgment affirmed.

McKinster, Acting P.J.

We concur: Gaut, J., King, J.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
April 5, 2006**

Court convened at 9:00am

Panel 3
Present:
Hollenhorst, Acting P.J.
Gaut, J.
King, J.
Kelly Conn, Deputy Clerk

E038503 Gerald Rhaburn v. Superior Court; The People

Merits. Cause called and Richard V. Myers, Deputy Public Defender, argued for petitioner; Elise J. Farrell, Deputy District Attorney, argued for real party in interest. Cause submitted.

Court recessed.

Court reconvened.

Panel 3a
Present:
Richli, Acting P.J.
Gaut, J.
King, J.
Kelly Conn, Deputy Clerk

E036855 California Department of Transportation v. Chris J. Lindsey

Merits. Cause called and David E. Allen, Jr., Esq., argued for appellant; Robert W. Vidor, Esq., argued for respondent. Cause submitted.

E037896 Regency Palms Homeowners Association v. Robert Hughes

Merits. Cause called and Simon J. Freedman, Esq., argued for appellant; Matt H. Morris, Esq., argued for respondent. Cause submitted.

E037928 Angelica Smith v. Fontana Unified School District et al.

Merits. Cause called and Angelica Smith argued as appellant in propria persona; Maria K. Aarvig, Esq., argued for respondents. Cause submitted.

E036288 Christopher Gray et al. v. County of Riverside et al.

Merits. Cause called and Christopher A. Gray, argued as appellant in propria persona; Christian T. Kim, Deputy County Counsel, argued for respondent. Cause submitted.

**E036659 In re the Marriage of Debra and Michael Morrow.
Debra K. Morrow v. Michael A. Morrow**

No appearance by counsel for either party. Cause submitted.

Court adjourned.

E037544* Masood Rostai v. Neste Enterprises et al.**Opinion**

Judgment affirmed.

McKinster, Acting P.J.

We concur: Richli, J., Gaut, J.

*CERTIFIED FOR PUBLICATION

**E039235 In re A.O. et al., Persons Coming Under the Juvenile Court Law
Department of Public Social Services v. Diane O.****Opinion**

Judgment affirmed.

Hollenhorst, Acting P.J.

We concur: Richli, J., Gaut, J.

**E038492 In re Victoria R. et al., Persons Coming Under the Juvenile Court
Law.****Department of Children's Services v. Stephen R.****Opinion**

Judgment affirmed.

Hollenhorst, Acting P.J.

We concur: Richli, J., Gaut, J.

E036673 Mabel Ebrahimzadeh v. Loma Linda University Medical Center

Appellant's petition for rehearing is denied.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
April 6, 2006**

The following cases have been submitted this date:

E036987 People v. Paris Stone
E038963 People v. Hector Campos
E039500 In re Z.T., a Person Coming Under the Juvenile Court Law.
Department of Public Social Services v. S.T.

E038414 People v. Vincent De Maria

Opinion

Judgment affirmed.

Richli, J.

We concur: Hollenhorst, Acting P.J., Gaut, J.

E038867 In re Jordan M. et al., Persons Coming Under the Juvenile Court Law
San Bernardino County Department of Children's Services v. T.M.
Judgment affirmed.

Opinion

Richli, J.

We concur: Ramirez, P.J., Hollenhorst, J.

***E037606 In re J.M. et al., Persons Coming Under the Juvenile Court Law;**
Department of Public Social Services v. A.M.

***E037996 In re J.M. et al., Persons Coming Under the Juvenile Court Law;**
Department of Public Social Services v. L.M.

Opinion

Judgment affirmed.

McKinster, J.

We concur: Ramirez, P.J., King, J.

*consolidated

E039210 In re Joseph T. et al., Persons Coming Under the Juvenile Court Law.
Department of Children's Services v. Roy T.

Opinion

Judgment affirmed.

Hollenhorst, J.

We concur: Ramirez, P.J., Gaut, J.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
April 7, 2006**

**E039334 In re R.V., a Person Coming Under the Juvenile Court Law.
Department of Children's Services v. Richard R.**

Opinion

Judgment affirmed.

Hollenhorst, J.

We concur: Ramirez, P.J., Gaut, J.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
April 10, 2006**

The following case has been submitted this date:

**E039629 In re Angel V., a Person Coming Under the Juvenile Court Law.
Department of Public Social Services v. Veronica V.**

E036288 Christopher Gray et al. v. County of Riverside et al.

Opinion

Judgment affirmed.

King, J.

We concur: Richli, Acting P.J., Gaut, J.

**E039009 In re Mariah G. et al., Persons Coming Under the Juvenile Court
Law.**

Department of Public Social Services v. Veronica A.

Opinion

Judgment affirmed.

Ramirez, P.J.

We concur: Hollenhorst, J., Gaut, J.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
April 11, 2006**

The following cases have been submitted this date:

E038972 People v. George M. Villegas
E039202 People v. Michael K. Shupe
E039231 People v. Tamara E. Reed
E038592 In re Tobin R., a Person Coming Under the Juvenile Court Law.
People v. Tobin R.
E037781 People v. Enos Hampton

E039269 In re Levi M. et al., Persons Coming Under the Juvenile Court Law.
Department of Children's Services v. Lori M. et al.

Opinion

Judgment affirmed.

Gaut, J.

We concur: Hollenhorst, Acting P.J., Richli, J.

E036916 People v. Joseph Verdin

Modification of Opinion

No change in judgment

Petition for rehearing denied.

Hollenhorst, J.

We concur: Ramirez, P.J., King, J.

E037727 People v. Taylor J. Pixley

Opinion

Judgment affirmed.

Ramirez, P.J.

We concur: McKinster, J., King, J.

E038859 People v. DeJuan Darshawn Lewis

Opinion

Judgment affirmed.

Ramirez, P.J.

We concur: McKinster, J., King, J.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
April 12, 2006**

The following case has been submitted this date:

E037666 People v. Thomas Scott

E036676 People v. Dario Gutierrez, Jr.

Opinion

Judgment affirmed as modified.

Richli, J.

We concur: McKinster, Acting P.J., King, J.

**E038886 In re M.H., Jr., a Person Coming Under the Juvenile Court Law.
Department of Children's Services v. M.H.**

Opinion

Judgment affirmed.

McKinster, Acting P.J.

We concur: Richli, J., King, J.

E036356 People v. Ian Justin Whitson et al.

Opinion

Judgment affirmed with directions.

King, J.

We concur: McKinster, Acting P.J., Gaut, J.

E039250 People v. Timothy Jerome Walker

Opinion

Judgment affirmed.

Ramirez, P.J.

We concur: McKinster, J., King, J.

E035820 People v. Esequiel Cortez Melgoza

Opinion

Judgment affirmed.

King, J.

We concur: McKinster, Acting P.J., Gaut, J.

E037860 People v. Devlon Norman Short

Opinion

Judgment affirmed.

Richli, J.

We concur: McKinster, Acting P.J., King, J.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
April 13, 2006**

E036367 People v. Roman Terence Ponce Jr.

Opinion

Judgment affirmed.

Hollenhorst, Acting P.J.

I concur: Gaut, J.

I concur and dissent: King, J.

E037156 People v. Michael Stanley Sawkow

Opinion

Judgment affirmed with directions.

Gaut, J.

We concur: McKinster, Acting P.J., King, J.

E038042 People v. Michael Douglas Spangle

Opinion

Judgment affirmed.

Richli, J.

We concur: McKinster, Acting P.J., King, J.

E036987 People v. Paris P. Stone

Opinion

Judgment affirmed with directions.

Ramirez, P.J.

We concur: Hollenhorst, J., Gaut, J.

E036957 Frederick J. Rodriguez v. City Council of the City of San Jacinto

Opinion

Judgment affirmed.

Ramirez, P.J.

We concur: Hollenhorst, J., McKinster, J.

E038596 In re Abel C., a Person Coming Under the Juvenile Court Law.

People v. Abel C.

Opinion

Judgment affirmed with directions.

Ramirez, P.J.

We concur: McKinster, J., King, J.

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E037879 People v. Larry Dale Ripley

Opinion

Judgment affirmed.

Ramirez, P.J.

We concur: Hollenhorst, J., Gaut, J.

E037030 Evelyn Jenkins v. County of Riverside

Order

Requests having been made to this Court pursuant to California Rules of Court, rule 978(a), for publication of a nonpublished opinion heretofore filed in the above entitled matter on March 23, 2006, and it appearing that the opinion meets the standard for publication as specified in California Rules of Court, rule 976(b).

It is so ordered that said opinion be certified for publication pursuant to California Rules of Court, rule 976(b).

**E038745 In re Melissa S., a Person Coming Under the Juvenile Court Law
People v. Melissa S.**

Opinion

Judgment affirmed.

Ramirez, P.J.

We concur: McKinster, J., King, J.

E038221 People v. Ricky Wilson

Opinion

Judgment affirmed.

Richli, J.

We concur: McKinster, Acting P.J., King, J.

**E038310 In re R.T., a Person Coming Under the Juvenile Court Law.
Department of Public Social Services v. Joy B.**

Opinion

Judgment reversed with directions.

McKinster, Acting P.J.

We concur: Gaut, J., King, J.

E038592 In re Tobin R., a Person Coming Under the Juvenile Court Law.

People v. Tobin R.

Opinion

Judgment affirmed in part, reversed in part.

Ramirez, P.J.

We concur: Hollenhorst, J., Gaut, J.

E036484 People v. Randy Edward Pigg

Opinion

Judgment affirmed.

Gaut, J.

We concur: McKinster, Acting P.J., King, J.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
April 14, 2006**

The following cases are submitted this date:

**E039605 In re S.P., a Person Coming Under the Juvenile Court Law
Department of Public Social Services v. N.S.
E038690 People v. John Ray Rodriguez
E039859 Darnel P. v. Riverside Superior Court; Department of Public Social
Services**

**E039500 In re Z.T., a Person Coming Under the Juvenile Court Law.
Department of Public Social Services v. S.T.**

Opinion

Judgment affirmed.

Hollenhorst, J.

We concur: Ramirez, P.J., Gaut, J.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
April 17, 2006**

**E037333 Margarito Violante et al. v. Communities Southwest Development and
Construction Company et al. Order**

The request for publication of the opinion filed March 16, 2006, is granted. It is so ordered that said opinion be certified for publication.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
April 18, 2006**

The following case(s) are/were submitted this date:

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|-----------------|--|
| E039427 | People v. Michael John Wasik |
| E039912 | Celia R. v. San Bernardino Superior Court; Department of Children's Services |
| E039311 | In re C.W., a Person Coming Under the Juvenile Court Law. Department of Children's Services v. Gary W. et al. |
| E037650 | In re Donald C., a Person Coming Under the Juvenile Court Law. People v. Donald C. |
| E035918* | People v. Eddie James Lewis et al. |
| E036214* | *Consolidated for all purposes. |
| E037733 | People v. Jeffrey Carl Lungberg |
| E036407 | People v. Louis Robert Martinez |
| E037937 | People v. Frank Javier Ochoa, Jr. |
| E037207 | People v. Richard Alan Ranselle |

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
April 19, 2006**

The following case was submitted this date:

**E039296 In re Angelia M. et al., Persons Coming Under the Juvenile Court
Law.
Department of Public Social Services v. J.D.; Quapaw Tribe of
Oklahoma**

**E038690 People v. John Ray Rodriguez
Opinion
Judgment affirmed.
Gaut, J.
We concur: Ramirez, P.J., Hollenhorst, J.**

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
April 20, 2006**

E037106 People v. David Long

Opinion

Judgment affirmed.

Hollenhorst, J.

We concur: Ramirez, P.J., King, J.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
April 21, 2006**

No Minutes for April 21, 2006.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
April 24, 2006**

E037937 People v. Frank Javier Ochoa, Jr.

Opinion

Judgment affirmed.

Gaut, J.

We concur: Ramirez, P.J., Hollenhorst, J.

E037928 Angelica Smith v. Fontana Unified School District et al.

Opinion

Judgment affirmed.

Gaut, J.

We concur: Richli, Acting P.J., King, J.

E036898 People v. Edilberto Rodriguez Martin

Opinion

Judgment affirmed.

McKinster, Acting P.J.

We concur: Gaut, J., King, J.

E037896 Regency Palms Homeowners Association v. Robert Hughes

Opinion

Judgment affirmed.

Gaut, J.

We concur: Richli, Acting P.J., King, J.

E037066 People v. Antonio Perez Lopez

Modification of

Opinion

No change in judgment.

Petition for rehearing denied.

Richli, Acting P.J.

We concur: McKinster, J., Gaut, J.

CERTIFIED FOR PARTIAL PUBLICATION

**E039912 Celia R. v. San Bernardino Superior Court; Department of Children's
Services**

Opinion

Petition Denied.

Gaut, J.

We concur: Ramirez, P.J., Richli, J.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
April 25, 2006**

The following cases are submitted this date:

E038559 Thee Sombrero, Inc. v. Javier Mendez Fuentes
E038652 KPI Ultrasound, Inc. v. 3 Day Blinds, Inc.
E038763 People v. Denise Torres
E036435 People v. Jacob Mario Olivarez et al.
E038371 In re Richard M., a Person Coming Under the Juvenile Court Law.
People v. Richard M.
E038383 People v. Robert William Hogg
E037461 Charles Robert Gorton
E036613 People v. Johnny Alvarez
E039386 In re Ariel H. et al., a Person Coming Under the Juvenile Court Law.
Department of Children's Services v. Janessa P.
E039029 In re Ivan M., a Person Coming Under the Juvenile Court Law.
Department of Public Social Services v. S.M.
E039065 In re Joseph L., a Person Coming Under the Juvenile Court Law.
Department of Public Social Services v. Debra A.
E035739 Maria Leticia Banda et al. v. Richard Bagdasarian, Inc.

E035918 People v. Eddie James Lewis et al.

Opinion

Judgment affirmed with directions.

Gaut, J.

We concur: Ramirez, P.J., Hollenhorst, J.

E037447 Richard P. Gonzales v. City of Colton

Opinion

Judgment affirmed.

McKinster, J.

We concur: Hollenhorst, Acting P.J., Richli, J.

E037054 Wealtha Weaver v. Charleen Rasmussen et al.

Opinion

Judgment affirmed.

Gaut, J.

We concur: McKinster, Acting P.J., Richli, J.

E036353 People v. Ryan Concepcion

Submission is vacated and the cause resubmitted as of this date.

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E037465 People v. Martin Rangel

Opinion

Judgment affirmed as modified.

McKinster, Acting P.J.

We concur: Richli, J., King, J.

E035833 People v. Arthur Estrada

Opinion

Judgment affirmed.

Gaut, J.

We concur: McKinster, Acting P.J., King, J.

E036288 Christopher Gray et al. v. County of Riverside et al.

Petition for rehearing denied.

**E039629 In re A.V., a Person Coming Under the Juvenile Court Law.
Department of Public Social Services v. V.V.**

Opinion

Judgment affirmed.

McKinster, Acting P.J.

We concur: Richli, J., King, J.

E037733 People v. Jeffrey Carl Lungberg

Opinion

Judgment affirmed.

Gaut, J.

We concur: Ramirez, P.J., Hollenhorst, J.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
April 26, 2006**

**E039296 In re Angelia M. et al., Persons Coming Under the Juvenile Court
Law.**

**Department of Public Social Services v. J.D.;
Quapaw Tribe of Oklahoma**

Opinion

Judgment affirmed.

Richli, J.

We concur: McKinster, Acting P.J., King, J.

E038486 People v. James Allen Russell, Jr.

Opinion

Judgment affirmed.

Ramirez, P.J.

We concur: McKinster, J., King, J.

E037891 People v. Jeffrey Patrick Lamont

Opinion

Judgment affirmed.

King, J.

We concur: McKinster, Acting P.J., Richli, J.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
April 27, 2006**

E037569 People v. Luis Antonio Jaimes

Opinion

Judgment affirmed.

Hollenhorst, Acting P.J.

We concur: Gaut, J., King, J.

**E036659 In re the Marriage of Debra and Michael Morrow
Debra Kay Morrow v. Michael Anthony Morrow**

Opinion

Judgment affirmed.

Richli, Acting P.J.

We concur: Gaut, J., King, J.

**Court of Appeal
Fourth District, Division 2
Riverside, California**

**Minutes
April 28, 2006**

No Minutes for April 28, 2006.